**Before the**
**FEDERAL COMMUNICATIONS COMMISSION**
**Washington, D.C. 20554**



| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | |
| Implementation of the | ) | |
| Telecommunications Act of 1996 | ) | |
| | ) | CC Docket No. 96-115 |
| Telecommunications Carriers' Use of | ) | |
| Customer Proprietary Network | ) | |
| Information and Other Customer | ) | |
| Information | ) | |

## BELLSOUTH REPLY TO FURTHER COMMENTS

BellSouth Corporation, on behalf of BellSouth Telecommunications, Inc. and its affiliated companies ("BellSouth"), submits this reply to comments filed pursuant to the Common Carrier Bureau's recent Public Notice in the above referenced proceeding.[1]

In the Public Notice, the Bureau requested further comment to supplement the record on issues previously raised in this proceeding, specifically to probe the relationship between the customer information provisions of Section 222 that are applicable to all carriers and the nondiscrimination provisions of Sections 272 and 274 that apply only to the BOCs.[2] Although

---

[1] Public Notice, CC Docket No. 96-115, DA 97-38 (rel'd Feb. 20, 1997).

[2] Communications Act of 1934, as amended, 47 U.S.C. §§ 151 *et seq.* *See, Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended*, CC Docket No. 96-149, *First Report and Order and Further Notice of Proposed Rulemaking*, FCC 96-489 (rel'd Dec. 24, 1996) ("*Non-Accounting Safeguards Order*"); *Implementation of the Telecommunications Act of 1996: Telemessaging, Electronic Publishing and Alarm Monitoring Services*, CC Docket No. 96-152, *First Report and Order and Further Notice of Proposed Rulemaking*, FCC 97-35 (rel'd Feb 7, 1997) ("*Electronic Publishing Order*").

BellSouth initially was skeptical of the apparent purpose and direction of the Bureau's questions because of certain implicit assumptions permeating a number of the questions, BellSouth now believes that the questions have served a worthwhile purpose. That is, they have provided a vehicle for exposing exactly how illogical, unsupported, and contradictory are the arguments of those that would have the Commission impose greater CPNI burdens on BOCs than on other carriers. For the reasons set forth below, the arguments of those parties must be rejected.

The Commission has indicated from the beginning that its objective in this proceeding, like that of Congress in enacting Section 222, is to balance both the competitive interests of carriers and the reasonable expectations of privacy held by customers. Interestingly, parties advocating burdensome regulations for the BOCs never quite seem to grasp the balancing concept. Indeed, their failure to do so was made most apparent as a result of the structure of the Bureau's questions.

For example, many of the Bureau's initial questions focused solely on the nondiscrimination provisions of Section 272 without specific reference to the qualifying language of Section 272(g)(3). In responding to those questions, not a single opponent even acknowledged the presence of that latter section. Instead, those parties simply teed off on what they perceived to be softball questions from the Bureau and reeled off all the reasons they could conjure up as to why Section 272(c)(1) imposed an absolute nondiscrimination obligation on the BOCs' use or disclosure of CPNI. Perhaps one should not be surprised that because the questions themselves did not raise the relevance of Section 272(g), these parties simply chose to ignore it. What is telling, however, is that often lost in the diatribe, in addition to the competitive

equity issues statutorily introduced by Section 272(g), was also any meaningful acknowledgment of the privacy interests of customers.

Rather, these parties generally chose to prattle on about how Section 272(c)(1) imposes an obligation in the absolute sense, unaffected either by the express terms of a different subsection of the very same section or by the interests of customers that this Commission and Congress have overtly attempted to respect and protect. Thus, these parties threw privacy principles and customers' reasonable expectations to the wind in favor of an "access to the BOCs' CPNI on equal terms at all costs" position. As often as not, these parties did not seem particularly concerned about whether customers' expectations were guarded at all, as long as CPNI would be made available to them.

Similarly, these parties apparently felt at liberty to answer the question as if Section 272(g)(3) did not exist, merely because it was not expressly raised in a given question. As a result, however, because Section 272(g) was not raised in these initial questions, and because these parties took the opportunity to avoid addressing it, their responses are not only an incomplete rendering of the relevant issues, they are generally meaningless to an understanding of the relationships among the respective statutory provisions. In contrast, the BOCs recognized the relevance of Section 272(g) and that the initial questions simply could not be answered adequately without reference to it. BellSouth urges the Bureau and the Commission, when reviewing the respective responses, not to lapse into the same myopic analysis proffered by opponents of the BOCs, notwithstanding the outwardly narrow focus of the questions.

Thus, rather than analyzing responses to the questions in isolation, the Bureau should maintain a comprehensive view. If it does, it will see two principle trends develop -- trends that

are entirely consistent with each other and that dovetail to form the very balance of competition and privacy issues the Commission is seeking to achieve in this proceeding.

First, the Commission will observe the general consensus that Section 222 applies equally to all carriers. That precept actually should never be in doubt, given the express language of that section. Further, consistent with its prior determination in the *Non-Accounting Safeguards Order*, the Commission should find that BOCs are permitted to use CPNI under Section 272(g) in performing the very same marketing activities as any other carrier. Together, these statutory provisions establish the level competitive playing field for which the Commission is searching in this proceeding.

Second, the Commission will find that, but for those who assert a right to CPNI whenever a BOC uses it or shares it with an affiliate in a manner consistent with customers' expectations, the parties generally agree that it is the customers who have ultimate say with respect to access to CPNI. As a corollary, a number of parties observed that all carriers, including the BOCs, have a duty to protect customers' proprietary information, unless authorized or directed to disclose it.

Together, these two basic principles -- customer control and a statutorily defined level playing field -- should provide the necessary framework for rules the Commission might adopt in this proceeding. It is also within the context of these general principles that BellSouth responds more directly to certain parties' arguments or assertions below.

**Section 272(g)(3) Permits BOCs to Use CPNI in Marketing Activities Pursuant to that Section to the Same extent as Any other Carrier.**

It was perhaps fortunate for opponents of the BOCs that the Bureau's questions did not immediately focus on Section 272(g), for when they did, these parties struggled with their

answers. The challenge these parties set for themselves was to argue persuasively that marketing does not include the use of CPNI. They failed miserably.

Perhaps what is most remarkable about these arguments is that they were propounded by entities that are virtual marketing machines and who have openly and proudly described the wealth of customer information in their possession and upon which they rely in developing extensive marketing plans. Thus, it is less than forthright for AT&T to assert that the marketing opportunities presented under Section 272 are and can be reasonably limited to those for which CPNI is not necessary or useful. Ameritech's showing of the value AT&T ascribes to its "database marketing capability" undercuts AT&T's credibility when it suggests that BOCs have ample opportunity to engage in marketing without using CPNI by offering all consumers the same package of local and long distance service, launching advertising campaigns, or by developing direct mail campaign on the basis of information other than the customers use of services purchased from the BOC.

Moreover, the point is not that *some* joint marketing may be performed without reliance on CPNI. Rather, the point is that the Commission has already determined that BOCs that have obtained Section 271(d) relief and are jointly marketing pursuant to Section 272(g) may engage in the same types of marketing activities as any other service provider Thus, if AT&T uses CPNI in any of its marketing activities -- that it does so is beyond debate -- the BOCs may do so as well.

Sprint's attempt to craft a limiting definition of permitted marketing activity that does not implicate CPNI fares no better. Sprint, for example, would limit the meaning of marketing to "financial transaction[s] in which the end user pays the carrier for a good or a service." Sprint also would apparently exclude from the marketing permitted under Section 272(g) activities that

could be subcontracted to an independent entity. These fabricated limitations on marketing activity pursuant to Section 272(g) are nothing short of bizarre and are clearly at odds with the Commission's determination that BOCs with Section 271(d) relief can engage in the same marketing activities as anyone else. None of the purported limitations on the scope of permitted marketing activity or on the use of CPNI in the course of those activities has any basis in the Act or prudent public policy.

Even attempts to ascribe incomparable value to CPNI in the possession of BOCs miss the mark. Thus, contrary to WorldCom's views, BOCs are not uniquely positioned to have customer information useful to marketing efforts. For example, like the wealth of information in AT&T's possession noted above, MCI, too, has been hoarding customer information:

> MCI is indeed rich in customer data, with information oncoming from a number of sources. More than 23 billion transactions traverse MCI's network, creating a goldmine of records about calling patterns and trends for existing customers. In addition to network traffic, MCI billing systems contain financial and demographic information. The company also purchases from external suppliers demographic and psychographic data about its customers and prospect base. Customer service calls create valuable records of customer problems and requests. As a result, MCI has databases that contain more than 300 million sales leads and up to 3,500 fields of information about 140 million customers and prospects.[3]

Claims that BOCs are uniquely positioned to obtain and utilize vast quantities of information do not withstand even simple scrutiny.

---

[3] America's Network, Vol. 101, No. 6, p. S14 (March 15, 1997). One must presume, of course, that if the Commission requires "all carriers" to "purge" their files of CPNI, as MCI suggests, that it would remove all CPNI from its data systems.

A fundamental transgression of those opposing BOC use of CPNI in permitted Section 272(g) marketing activities is that they seem to forget, or deliberately to ignore, that by the time a BOC is engaged in Section 272(g) activity, it will have passed the public interest review under Section 271(d). Upon that event, -- the satisfaction of the public interest through the availability of competition in the local exchange -- interexchange carriers will also be able to market integrated packages of interLATA services and resold BOC local exchange service. This coincidental entry into each other's traditional market sphere reflects Congress's specific intent that there be vigorous competition between viable providers of comprehensive service offerings, bringing the convenience and other benefits of one-stop shopping to all consumers. Having specifically orchestrated such coordinated entry to ensure that neither IXCs nor BOCs gained an unfair advantage, Congress would not have concurrently limited only the BOCs' abilities to use their own customer information in permitted marketing activities. Section 272(g)(3) thus must be read, as the Commission has to date, to give BOCs the same, full marketing opportunities as any other service provider, including the use of CPNI subject only to the limitations of Section 222.

**Generalized Nondiscrimination Obligations do not Override Reasonable Customer Privacy Expectations**

All but the IXCs seemed to agree that customers' generalized reasonable expectations of privacy or specific indications of privacy ultimately should govern the use or disclosure of CPNI. The IXCs, however, doggedly maintained that it is the BOCs' use of CPNI, even with customer approval, that governs the IXCs' right to have that information, regardless of what the customers' preferences might be. Failing that, the IXCs would have the Commission deny BOCs use of CPNI if customers could not be presumed to consent to its use by parties not affiliated with the

BOC. Such positioning shows utter disregard for the interests of customers and is clearly inconsistent with the structure and purpose of Section 222.

Perhaps the most brazen of the bunch is WorldCom, with its "all or nothing" proposal. Never mind that a customer might have different expectations with respect to a BOC's affiliate's use of CPNI than with respect to a nonaffiliated party. According to WorldCom, the customer would have only the choices of allowing all carriers to have access to CPNI held by the BOC -- thus having to compromise his or her privacy expectations, or not allowing any carrier to have access to the CPNI -- thus having to forgo the benefits of one-stop shopping that could have been offered by the BOC and its affiliates. The Commission simply cannot read Section 222 to be subject to any nondiscrimination obligation in a way that denies customers the very benefits Congress intended to achieve through the Act.

Nor should the Commission adopt any of the proposals that would wrest control of CPNI from a customer merely on the basis of a customer's election to allow, or not to allow, a carrier or class of carriers to have access to CPNI. Indeed, Section 222 clearly contemplates that a customer may make different elections with respect to use or disclosure of CPNI. Any rule that made automatic a customer's decision with respect to an entity not affiliated with a BOC purely on the basis of the customer's indicated preference with respect to a BOC's affiliate would be contrary to the scheme of Section 222. Such a rule should not be adopted.

## CONCLUSION

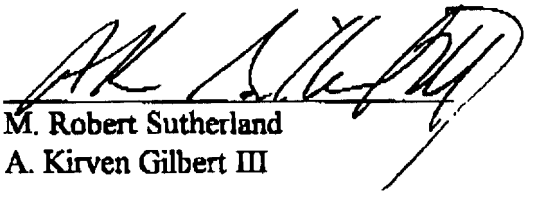
As discussed in BellSouth's Comments, the specific CPNI rules of Section 222 -- which includes its own nondiscrimination obligation -- prevail over the more general nondiscrimination rules of Section 272 and 274. Moreover, the nondiscrimination standard of Section 272(c)

expressly does not attach to marketing activity carried out pursuant to Section 272(g). As shown herein, proposals to narrowly construe the scope of permitted marketing activity under Section 272(g) in an attempt to define the use of CPNI out of the permitted marketing activity are at odds with real world marketing practices, including those of the IXCs. BOCs are permitted to engage in the same marketing activities as other service providers, which includes the use of CPNI. The Commission also should be careful not to adopt rules that impinge upon customer's CPNI authorization prerogatives.

Respectfully submitted,

BELLSOUTH CORPORATION

By Its Attorneys



M. Robert Sutherland
A. Kirven Gilbert III

Suite 1700
1155 Peachtree Street, N.E.
Atlanta, Georgia 30309-3610
(404) 249-3388

DATE: March 27, 1997

**CERTIFICATE OF SERVICE**
(CC DKT. 96-115)

I hereby certify that I have this 27th day of March, 1997 served the following parties to this action with a copy of the foregoing BELLSOUTH REPLY TO FURTHER COMMENTS by placing a true and correct copy of the same in the United States mail, postage prepaid, addressed to the parties on the attached service list.

Sheila Bonner

**CC DOCKET NO. 96-115**

Thomas E. Taylor
Jack B. Harrison
ATTORNEYS FOR CINCINNATI BELL
TELEPHONE COMPANY
FROST & JACOBS
2500 PNC Center
201 East Fifth Street
Cincinnati, OH 45202

James D. Ellis
Robert M. Lynch
David F. Brown
ATTORNEYS FOR
SBC COMMUNICATIONS, INC.
175 E. Houston, Room 1254
San Antonio, TX 78205

Durward D. Dupre
Michael J Zpevak
Robert J. Gryzmala
SOUTHWESTERN BELL TELEPHONE COMPANY
One Bell Center, Room 3520
St Louis, Missouri 63101

Saul Fisher
Thomas J. Farrelly
NYNEX TELEPHONE COMPANIES
1095 Avenue of the Americas
New York, NY 10036

Lawrence W. Katz
THE BELL ATLANTIC TELEPHONE COMPANIES
1320 North Court House Road
Eighth Floor
Arlington, Virginia 22201

Alan N. Baker
Michael S. Pabian
AMERITECH
2000 West Ameritech Center Drive
Hoffman Estates, IL 60196

Jonathan E. Canis
VIRGIN ISLANDS TELEPHONE CORPORATION
Reed Smith Shaw & McClay
1301 K Street, N.W.
Suite 1100 - East Tower
Washington, D.C. 20005

Jay C. Keithley
Leon M. Kestenbaum
Norina T. Moy
SPRINT CORPORATION
1850 M Street, N.W.
Suite 1110
Washington, D.C. 20036

Craig T. Smith
SPRINT CORPORATION
P O Box 11315
Kansas City, Missouri 64112

Kathryn Marie Krause
U S WEST, INC.
Suite 700
1020 19th Street, N.W.
Washington, D.C. 20036

Glenn S. Rabin
ALLTEL CORPORATE SERVICES, INC.
655 15th Street, N.W.
Suite 200
Washington, D.C. 20005

Mary McDermott
Linda Kent
Charles D. Cosson
Keith Townsend
UNITED STATES TELEPHONE ASSOCIATION
1401 H Street, N.W., Suite 600
Washington, D.C. 20005

Saul Fisher
Thomas J. Farrelly
NYNEX TELEPHONE COMPANIES
1095 Avenue of the Americas
New York, NY 10036

Michael J. Shortley, III
FRONTIER CORPORATION
180 South Clinton Avenue
Rochester, NY 14646

Lucille M. Mates
Sarah R. Thomas
Patricia L. C. Mahoney
PACIFIC TELESIS GROUP
140 New Montgomery Street
Room 1522A
San Francisco, CA 94105

Margaret E. Garber
PACIFIC TELESIS GROUP
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Richard McKenna
GTE SERVICE CORPORATION
600 Hidden Ridge
Irving, Texas 75015

David J. Gudino
GTE SERVICE CORPORATION
1850 M Street, N.W.
Suite 1200
Washington, D.C. 20036

Paul Rodgers
Charles D. Gray
James Bradford Ramsay
NATIONAL ASSOCIATION OF
REGULATORY UTILITY
COMMISSIONERS
1201 Constitution Avenue, Suite 1102
Post Office Box 684
Washington, D.C. 20044

Assemblyman Anthony J. Genovesi
Legislative Office Building
Room 456
Albany, NY 12248-0001

Peter Arth, Jr.
Edward W O'Neill
Mary Mack Adu
People of the State of California and the Public
Utilities Commission of the State of California
505 Van Ness Avenue
San Francisco, CA 94102

Philip F. McClelland
Irwin A. Popowsky
PENNYSLVANIA OFFICE OF
CONSUMER ADVOCATE
Office of Attorney General
1425 Strawberry Square
Harrisburg, PA 17120

Jackie Follis,
Senior Policy Analyst
PUBLIC UTILITY COMMISSION OF TEXAS
Office of Regulatory Affairs
7800 Shoal Creek Boulevard
Austin, TX 78757-1098

Albert H. Kramer
Robert F. Aldrich
AMERICAN PUBLIC
COMMUNICATIONS COUNCIL
DICKSTEIN, SHAPIRO & MORIN, L.L.P.
2101 L Street, N.W.
Washington, D.C. 20554

Albert Halprin
Joel Bernstein
YELLOW PAGES PUBLISHERS ASSOCIATION
Halprin, Temple, Goodman and Sugrue
1100 New York Avenue, N.W.
Suite 650E
Washington, D.C. 20005

Theodore Case Whitehouse
Michael F. Finn
ASSOCIATION OF DIRECTORY PUBLISHERS
WILLKIE FARR & GALLAGHER
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20036

Dennis C. Brown
SMALL BUSINESS IN TELECOMMUNICATIONS
Brown and Schwaninger
1835 K Street, N.W.
Suite 650
Washington, D.C. 20006

Bradley Stillman, Esq.
CONSUMER FEDERATION OF AMERICA
1424 16th Street, N.W.
Suite 604
Washington, D.C. 20036

Danny E. Adams
Steven A. Augustino
THE ALARM INDUSTRY COMMUNICATIONS
COMMITTEE
KELLEY DRYE & WARREN, LLP
1200 Nineteenth Street, N.W.
Suite 500
Washington, D.C. 20036

COMPUSERVE INCORPORATED
5000 Arlington Centre Boulevard
P. O. Box 20212
Columbus, OH 43220

Randolph J. May
Bonding Yee
COMPUSERVE INCORPORATED
SUTHERLAND, ASBILL & BRENNAN
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2404

Joseph P. Markoski
Marc Berejka
INFORMATION TECHNOLOGY
ASSOCIATION OF AMERICA
Squire, Sanders & Dempsey
1201 Pennsylvania Avenue, N.W.
P. O. Box 407
Washington, D.C. 20044

Mark J. Golden
Vice President of Industry Affairs
PERSONAL COMMUNICATIONS
INDUSTRY ASSOCIATION
500 Montgomery Street
Suite 700
Alexandria, VA 22314-1561

David A. Gross
Kathleen Q. Abernathy
AIRTOUCH COMMUNICATIONS, INC.
1818 N Street, N.W.
Suite 800
Washington, D.C. 20036

Pamela Riley
AIRTOUCH COMMUNICATIONS, INC.
One California Street
San Francisco, CA 94111

Carl W. Northrop
Christine M. Crowe
ARCH COMMUNICATIONS GROUP, INC.
PAUL, HASTINGS, JANOFSKY & WALKER
1299 Pennsylvania Avenue, N.W.
10th Floor
Washington, D.C. 20004-2400

Judith St. Ledger-Roty
Lee A. Rau
PAGING NETWORK, INC.
REED SMITH SHAW & McCLAY
1301 K Street, N.W.
Suite 1100 - East Tower
Washington, D.C. 20005

Ann P. Morton, Esq.
CABLE & WIRELESS, INC.
8219 Leesburg Pike
Vienna, Virginia 22182

Charles H. Helein
AMERICA'S CARRIER'S TELECOMMUNICATION
ASSOCIATION
Helein & Association, P.C.
8180 Greensboro Drive
Suite 700
McLean, Virginia 22102

Frank W. Krogh
Donald J. Elardo
MCI TELECOMMUNICATIONS CORPORATION
1801 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

J. Christopher Dance
Vice President, Legal Affairs
Kerry Tassopoulos
Director of Government Affairs
EXCEL TELECOMMUNICATIONS, INC.
9330 LBJ Freeway, Suite 1220
Dallas, Texas 75243

Thomas K. Crowe
EXCEL COMMUNICATIONS, INC.
LAW OFFICES OF THOMAS K. CROWE, P.C.
2300 M Street, N.W.
Suite 800
Washington, D.C. 20037

Mark C. Rosenblum
Leonard J. Cali
Judy Sello
AT&T CORP
Room 3244J1
295 North Maple Avenue
Basking Ridge, NJ 07920

Genevieve Morelli
Vice President and General Counsel
THE COMPETITIVE TELECOMMUNICATIONS ASSOCIATION
1140 Connecticut Avenue, N.W.
Suite 220
Washington, D.C. 20036

Danny E. Adams
Steven A. Augustino
THE COMPETITIVE TELECOMMUNICATIONS ASSOCIATION
KELLEY DRYE & WARREN LLP
1200 Nineteenth Street, N.W., Suite 500
Washington, D.C. 20036

Charles C. Hunter
TELECOMMUNICATIONS RESELLERES ASSOCIATION
HUNTER & MOW, P.C.
1620 I Street, N.W.
Suite 701
Washington, D.C. 20006

Catherine R. Sloan
Richard L. Fruchterman
Richard S. Whitt
WORLDCOM, INC.
d/b/a LDDS WORLDCOM
1120 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036

Cindy Z. Schonhaut
Vice President, Government Affairs
INTELCOM GROUP (U.S.A.), INC.
9605 East Maroon Circle
Englewood, CO 80112

Albert H. Kramer
Robert F. Aldrich
INTELCOM GROUP (U.S.A.), INC.
DICKSTEIN, SHAPIRO & MORIN, L.L.P.
2101 L Street, N.W.
Washington, D.C. 20554

Teresa Marrero
Senior Regulatory Counsel
TELEPORT COMMUNICATIONS GROUP, INC.
One Teleport Drive
Suite 300
Staten Island, NY 10310

David N. Porter
Vice President, Government Affairs
MFS COMMUNICATIONS COMPANY, INC.
3000 K Street, N.W
Suite 300
Washington, D.C. 20007

Andrew D. Lipman
Mark Sievers
MFS Communications Company, Inc.
SWIDLER & BERLIN, Chartered
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007

Herta Tucker
ASSOCIATION OF TELEMESSAGING
SERVICES INTERNATIONAL
Executive Vice President
1200 19th Street, N.W.
Washington, D.C. 20036

Frank Moore
Government Affairs Division
ASSOCIATION OF TELEMESSAGING
SERVICES INTERNATIONAL
Smith, Bucklin & Associates, Inc.
1200 19th Street, N.W.
Washington, D.C. 20036

Linda T. Solheim
General Counsel
WIRELESS TECHNOLOGY RESEARCH, L.L.C
2817-D South Woodrow Street
Arlington, VA 22206

Charles C. Hunter
TELECOMMUNICATIONS RESELLERS
ASSOCIATION
HUNTER & MOW, P.C.
1620 I Street, N.W.
Suite 701
Washington, D.C. 20006

David Cosson, Esq.
Steven E. Watkins
NCTA
2626 Pennsylvania Avenue, N.W.
Washington, D.C. 20037

Lisa M. Zaina, Esq.
Ken Johnson
OPASTCO
21 Dupont Circle, N.W.
Suite 700
Washington, D.C. 20036

Gene P. Belardi
Vice President
MOBILEMEDIA COMMUNICATIONS, INC.
2101 Wilson Boulevard
Suite 935
Arlington, VA 22201

Jonathan E. Canis
Reed Smith Shaw & McClay
INTERMEDIA COMMUNICATIONS, INC.
1301 K Street, N.W.
Suite 1100, East Tower
Washington, D.C. 20005

J. Davil Haralson
EQUIFAX, INC.
1600 Peachtree Street, N.W.
Atlanta, GA 30309

Andrew D. Lipman
Pamela S. Arluk
COUNSEL FOR EQUIFAX, INC.
Swidler & Berlin, Chtd.
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007

Wendy S. Bluemling
Director - Regulatory Affairs
THE SOUTHERN NEW ENGLAND
TELEPHONE COMPANY
227 Church Street
New Haven, CT 06510

Ronald J. Binz
Debra Berlyn
John Windhausen, Jr.
COMPETITION POLICY INSTITUTE
1156 15th Street, N.W.
Suite 310
Washington, D.C. 20005

Werner K. Hartenberger
J. F. Harrington
Richard S. Denning
COX ENTERPRISES, INC.
DOW, LOHNES & ALBERTSON, INC.
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036

Howard J. Barr
COUNSEL TO DIRECTORY DIVIDENDS, INC
PEPPER & CORAZZINI, L.L.P
1776 K Street, N.W
Suite 200
Washington, D.C. 20006

Lawrence G. Malone
Acting General Counsel
THE NEW YORK STATE DEPARTMENT OF
PUBLIC SERVICE
Three Empire State Plaza
Albany, New York 12223-1350

*ITS
2100 M Street, N.W.
Room 140
Washington, D.C. 20037

*Janice M. Myles (2)
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 544
Washington, D.C. 20554

* Hand Delivery